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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

OAKLAND DIVISION

IN RE STATIC RANDOM ACCESS
MEMORY (SRAM) ANTITRUST
LITIGATION

Case No. 4:07-md-1819 CW

MDL No. 1819

This Document Relates to:
ALL ACTIONS

**STIPULATION AND ORDER REGARDING
PRETRIAL SUBMISSION OF TRIAL
EXHIBITS, PRETRIAL CONFERENCE
STATEMENT AND PRETRIAL
CONFERENCE**

WHEREAS, pursuant to the Court's Standing Order For Pretrial Preparation (the "Order"), on or before November 16, 2010 the parties exchanged the items identified in ¶1 thereto, including trial exhibit lists, briefs on significant disputed issues of law, proposed jury instructions, verdict forms and voir dire questions, statements designating excerpts from depositions, responses to interrogatories and requests for admission to be submitted at trial, and summaries of anticipated motions in limine, among other items.

WHEREAS, pursuant to the Order, the parties have been diligently meeting and conferring, including an in-person meeting in San Francisco on November 23, 2010, with respect to preparation and content of the pretrial conference statement, and resolution of any differences pertaining thereto;

1 WHEREAS, under the Order, the parties currently are required to file their Pretrial
2 Conference Statement on November 30, 2010, and to lodge with the Court a set of premarked
3 exhibits as well.

4 WHEREAS, the parties' trial exhibit lists, at this time, list in excess of 3000 exhibits and the
5 parties desire to meet and confer to reduce that list, meet and confer further regarding admissibility
6 and objections to those exhibits, and seek to defer lodging trial exhibits with the Court as set forth
7 below;

8 WHEREAS, so that the parties may continue to meet and confer regarding pretrial
9 submissions in an effort to resolve disputes and streamline issues for the Court, the parties request
10 that the Court permit the parties to submit certain items required by the Order after November 30,
11 2010, and as set out below;

12 WHEREAS, the parties agree that the Court's rulings on the pending summary judgment
13 motions, decertification motions, *Daubert* motions and other motions may impact trial preparation;

14 WHEREAS, the parties believe that, in addition to the currently scheduled December 14,
15 2010 pretrial conference, a further pretrial conference on January 4, 11 or 18, 2011 or as is otherwise
16 convenient for the Court to address unresolved issues in advance of trial would further enable the
17 parties to efficiently present trial issues to the Court (including issues pertaining to trial exhibits and
18 potential stipulations and agreements pertaining thereto) and promote the efficient prosecution of
19 these actions;

20 NOW THEREFORE, it is hereby stipulated by the undersigned counsel on behalf of the
21 parties identified below, and subject to the Court's approval, that:

22 1. On November 30, 2010, the parties shall submit the following items required by the
23 Order: the Pretrial Conference Statement (Order ¶3(a)); witness lists (Order ¶3(c)); motions in
24 limine (Order ¶3(f)); and proposed findings and conclusions (Order ¶3(j)).

25 2. On December 3, 2010, the parties shall submit the following items required by the
26 Order: Trial Briefs (Order ¶3(e)); Joint Proposed Jury Instructions (Order ¶3(h)) and Proposed
27 Verdict forms (Order ¶3(i)), pertaining to all federal and state antitrust claims in the direct purchaser
28 and indirect purchaser actions.

1 3. Fourteen days prior to a further pretrial conference set for 2:00 p.m. on January 18,
2 2011, or such other date and time as the Court may set, the parties shall submit the following items
3 required by the Order: Exhibit List and Objections and premarked exhibits (Order ¶3(b));
4 designations of depositions and responses to discovery responses, and objections thereto (Order
5 ¶3(d)); Joint Proposed Voir Dire (Order ¶3(g)); jury instructions pertaining to consumer protection
6 claims under state law and/or unjust enrichment claims in the indirect purchaser action.

7 4. The Pretrial Conference set for December 14, 2010 at 2:00 p.m. will remain on
8 calendar.

9 5. There will be a further Pretrial Conference on January 18, 2011 at 2:00 p.m.

10 Dated: November 23, 2010

11 By: /s/ Christopher T. Micheletti
12 CHRISTOPHER T. MICHELETTI
13 ZELLE HOFMANN VOELBEL
14 & MASON LLP
15 *Lead and Liaison Counsel for Indirect
16 Purchaser Class*

17 Dated: November 23, 2010

18 By: /s/ Steven N. Williams
19 STEVEN N. WILLIAMS
20 COTCHETT, PITRE & McCARTHY
21 *Lead and Liaison Counsel for Direct Purchaser
22 Class*

23 *Additional Defendants and Counsel:*

24 **MAYER BROWN LLP**

25 **SHEPPARD, MULLIN, RICHTER &
26 HAMPTON LLP**

27 By /s/ Gary A. Winters

28 Gary A. Winters (*pro hac vice*)
29 Attorney for Defendant
30 Cypress Semiconductor Corporation

31 By /s/ Michael W. Scarborough

32 Michael W. Scarborough
33 Attorney for Defendants
34 Samsung Electronics Company, Ltd.,
35 Samsung Semiconductor, Inc

1 I, Christopher T. Micheletti, hereby attest, pursuant to N.D. Cal. General Order No. 45, that
2 the concurrence to the filing of this document has been obtained from each signatory hereto.

3 _____
4 */s/ Christopher T. Micheletti*
5 Christopher T. Micheletti
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1 **IT IS SO ORDERED.**
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4 Dated: ____ November 24, _____, 2010

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The Honorable Claudia Wilken
United States District Judge
Northern District of California

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